

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

VINCENT FRAZIER :
Petitioner, : CIVIL ACTION
: :
v. : NO. 10-6726
SUPERINTENDENT COLLINS, et al. :
Respondents :

ORDER

AND NOW, this 3rd day of January 2011, upon consideration of the Petition for Writ of Habeas Corpus (the "Petition") (Doc. No. 1) and the Report and Recommendation filed by United Stats Magistrate Judge Jacob P. Hart (Doc. No. 3), and after an independent review of the pertinent record, it is ORDERED that:

1. The Report and Recommendation of Magistrate Judge Hart is APPROVED and ADOPTED. The Court agrees with the Report and Recommendation that this Court does not have jurisdiction to consider the Petition. See 28 U.S.C. § 2241(d). Moreover, the Court agrees that, in the interest of justice, the petition should be transferred to the district court having jurisdiction over the matter. See Guitierrez v. Qunja, No. 08-112, 2008 WL 5225875 (E.D. Pa Dec. 12, 2008); 28 U.S.C. § 1631.
2. The Clerk of Court is directed to TRANSFER the Petition for Writ of Habeas Corpus (Doc. No. 1) to the United States Court for the Middle District of Pennsylvania.

3. There is no basis for the issuance of a certificate of appealability.

BY THE COURT:



Joel Slomsky
JOEL H. SLOMSKY, J.